THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13150 of 2007

Dated:25.06.2007

Between
N.Venu Gopal rao

.....Petitioner

and

1. Nehru Memorial High School
Rep., by its president, Desaipet, Warangal.
And another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13150 of 2007

ORDER:

This writ petition is filed seeking a Mandamus to declare the impugned order of suspension passed by the 1st respondent *vide* proceedings No.316/NMS/216/2006-07 dated 24.8.2006, as arbitrary and illegal.

It appears that the petitioner was appointed as Secondary Grade Teacher in the 1st respondent-Nehru Memorial High School, Warangal. Subsequently, on certain allegations, 1st respondent suspended the petitioner *vide* proceedings dated 24.8.2006 pending enquiry into the matter. Later, a criminal case was filed against the petitioner and he obtained bail.

Suspension pending enquiry is not a

punishment and it enables the respondent authorities to conduct a detailed enquiry into the matter.

Under those circumstances, I am of the opinion that the writ petition itself is not maintainable against a simple order of suspension unless and until it is brought to the notice of this Court that the authority who passed the said order has no power or has a *mala fide* intention. Writ petition is devoid of merits and is liable to be dismissed.

Accordingly, writ petition is dismissed. However, the respondent authorities are directed to consider as to whether there is any necessity of keeping the petitioner under suspension until the enquiry into the charges is completed.

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25-06-2007

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